Provisions under DPCO, 1987

314. SHRI SUDHIR RANJAN MAJUMDAR:

SHRI RAJNI RANJAN SAHU:

Will the Minister of CHEMICALS AND FERTILIZERS refer to the answer to Unstarred Question 1275 given in the Rajya Sabha on 3rd March, 1994, and state:

(a) whether there is no concept to fix retention price, common sale price fixed under DPCO, 1987 and such price has not been fixed for any of the drugs after the inception of DPCO, 1979;

(b) if so, how can the money recovered into DPCO can be untilized for any of the purposes specified under DPCO, 1979;

(c) how is the DPEA provision then justified and why provision for untilisation of DPEA funds have not been incorporated in the DPCO 1987;

(d) who have been paid Rs. 497.77 lakhs and while making payments was it ensured that there are no DPEA dues against them;

(e) whether it is a fact that Rs. 5.60 lakhs have been misutilized and the expenditure does not fall within the provision of paragraph 17 of DPCO, 1979; and

(f) what steps have been taken to recover the amounts from the officers?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO): (a) There is no such concept in the DPCO, 1987.

(b) and (c) Para 14 of the DPCO 1987 provides for utilisation of amounts deposited into the Drug Price Equalisation Account for the purposes stipulated in the DPCO, 1979.

(d) The details asked for are given in the enclosed statement (See below).

(e) Since the amount of Rs. 5.60 lakhs paid was for a study related to the pharmaceutical industry, there has been no misutilization.

(f) Does not arise.

Statement

Details of Rs. 497. lakhs paid to various companies out of the DPEA after 25th August, 1987, till date

Sl. No.	Name of the Company	Amount paid (Rs. in lakhs)
1.	M/s. I.D.P.L.	358.00
2.	M/s. H.A.L.	45.26
3.	M/s. Bengal Chemicals and Pharmaceuticals (BCPL)	7.19 7.19
4.	M/s. Pharma. Chem.	1.77
5.	M/s. Andhra Sugars	6.13
6.	M/s. Max. India.	4.42
7.	M/ M/s. Gujarat Lyka	15.00
	Total	497.77

DPEA Amount

315. SHRI SUDHIR RANJAN MAJUMDAR:

SHRI RAJNI RANJAN SAHU:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that benefit of amount collected into the DPEA cannot be passed on to the consumer through retention cum pooled price cum common sale price, what is the rationale of recovering the amounts into DPEA; and

(b) whether it is a fact that Department of Legal Affairs had recommended to the Ministry that to give teeth to recovery into DPEA, provisions for passing benefits to the consumers be incorporated into DPCO, 1987, if so, what are the details of such recommendation and what action has been taken?

THE MNISTER OF STATE IN HE MINISRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO): (a) and (b) The Government has been making all efforts to recover the entire amounts of liabilities for various drug companies into the